

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1919**

---

**Introduced by Assembly Member Davis**

February 16, 2010

---

An act ~~relating to utility service~~ to amend Section 27585 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1919, as amended, Davis. ~~Terminations of utility service. Local government: county surveyor: survey monument preservation fund.~~

Existing law authorizes the board of supervisors of a county to establish a survey monument preservation fund and to impose a user fee, not to exceed \$10, to be charged and collected by the county recorder as a condition to the filing or recording of any grant deed conveying real property except for those grant deeds conveying lots created by recorded tract maps.

*This bill would delete this exemption from the user fee.*

~~Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical, gas, and water corporations, as respectively defined. Existing law authorizes the commission to establish rules for all public utilities, subject to control by the Legislature. Existing law authorizes the commission, after a hearing, to require every public utility to construct, maintain, and operate utility facilities in a manner so as to promote and safeguard the health and safety of its employees, customers, and the public. Existing law requires certain notice be given before an electrical, gas, heat, or water corporation may terminate residential service for nonpayment of a~~

delinquent account and prohibits termination of service for nonpayment in certain circumstances.

~~This bill would state the intent of the Legislature to enact legislation to require every public utility to notify the commission when any shutoff or utility-instituted termination of utility service results in death or serious injury, to reform the procedures utilized by the commission for terminations of utility service, to require the commission to investigate any shutoff or utility-instituted termination of utility service that results in death or serious injury, and to authorize the Attorney General to bring a civil action against a public utility where a shutoff or utility-instituted termination of utility service results in death or serious injury.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 27585 of the Government Code is  
2     amended to read:

3     27585. (a) For the limited purpose of financing the survey  
4     monument preservation fund pursuant to Section 27584, the board  
5     may impose a user fee, not to exceed ten dollars (\$10), or an  
6     amount set pursuant to Section 54985, which shall be charged and  
7     collected by the county recorder, over and above any other fees  
8     required by law, as a condition precedent to the filing or recording  
9     of any grant deed conveying real property. ~~Grant deeds conveying~~  
10    ~~lots created by recorded tract maps shall be exempt from the user~~  
11    ~~fee.~~ Except as otherwise provided in subdivision (b), the fees shall  
12    be forwarded monthly by the county recorder to the county  
13    treasurer for deposit to the county survey monument preservation  
14    fund. Following the establishment of the fund, the board of  
15    supervisors may extinguish the fund if a finding is made by the  
16    board that the need for the fund no longer exists.

17    (b) Notwithstanding subdivision (a) or (c), if a city engineer of  
18    a city with a population of more than 1,500,000 persons conducts  
19    the survey pursuant to Section 27584, any user fees collected  
20    pursuant to subdivision (a) on and after January 1, 1987, with  
21    respect to any grant deed conveying real property located wholly  
22    within the city shall be transferred monthly by the county recorder  
23    to the city treasurer of the city to reimburse the city for the  
24    expenses incurred by the city engineer in conducting that survey.

1 (c) Notwithstanding Section 2231 of the Revenue and Taxation  
2 Code, and except as otherwise provided in subdivision (b), no  
3 funds collected by the county recorder for the survey monument  
4 preservation fund shall be transferred to, or deposited in, any other  
5 fund or used for any other purpose.

6 ~~SECTION 1. (a) It is the intent of the Legislature to enact~~  
7 ~~legislation to require every public utility to notify the Public~~  
8 ~~Utilities Commission when any shutoff or utility-instituted~~  
9 ~~termination of utility service results in death or serious injury and~~  
10 ~~to reform the procedures utilized by the commission for~~  
11 ~~terminations of utility service.~~

12 ~~(b) It is the further intent of the Legislature to require the~~  
13 ~~commission to investigate any shutoff or utility-instituted~~  
14 ~~termination of utility service that results in death or serious injury.~~

15 ~~(c) It is the additional intent of the Legislature to authorize the~~  
16 ~~Attorney General to bring a civil action against a public utility~~  
17 ~~where a shutoff or utility-instituted termination of utility service~~  
18 ~~results in death or serious injury.~~